

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA**

Christopher Coon and
Dark Knight Transport,

Plaintiffs,

vs.

Clarke & Associates,

Defendant.

Civil No.: 1:23-cv-00244

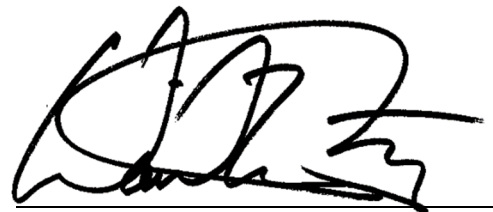
ORDER ADOPTING REPORT AND RECOMMENDATION

[¶ 1] THIS MATTER comes before this Court on a Report and Recommendation from United States Magistrate Judge Clare R. Hochhalter on January 17, 2024. Doc. No. 5. Magistrate Judge Hochhalter recommends this case be dismissed for lack of subject matter jurisdiction. In this diversity action, there is not complete diversity of citizenship because Plaintiff Christopher Coon and Defendant are both citizens of North Dakota. Id. at p. 4. February 2, 2024, was set as the deadline to file objections. To date, no objections have been filed.

[¶ 2] The Court has reviewed the entire record in this matter and concludes the Report and Recommendation is reasonable and persuasive. The Court **ADOPTS** the Report and Recommendation in its entirety. The Complaint (Doc. No. 6) is **DISMISSED without prejudice** for lack of subject matter jurisdiction.

[¶ 3] **IT IS SO ORDERED.**

DATED May 6, 2024.

A handwritten signature in black ink, appearing to read 'D. Traynor', is written over a horizontal line.

Daniel M. Traynor, Judge
United States District Court